

**MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY
AND
MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD
NOTICE OF PROPOSED RULEMAKING
NOTICE OF PUBLIC HEARING**

DEADLINE FOR COMMENTS: JUNE 4, 2013

PLEASE TAKE NOTE that the Mississippi Commission on Environmental Quality (“Commission”) and the Mississippi Environmental Quality Permit Board (“Permit Board”) are proposing to adopt amendments to all of their regulations to comply with the amended Administrative Procedures Act “APA”. The proposed regulation amendments will be applicable statewide.

I. Description of the Proposed Amendments.

The amended Administrative Procedures Act (“APA”) requires a statewide administrative code and designates the Secretary of State’s office as the official registrar for rules of all state agencies and the publisher of the Mississippi Administrative Bulletin and the Mississippi Administrative Code. The APA amendments specifically require uniform formatting and numbering of all state agency regulations, including the regulations of the Commission and the Permit Board. The APA amendments further require citation to statutory authorities for the regulations. In order to comply with the amended APA, the Mississippi Department of Environmental Quality (“MDEQ”) staff is adjusting all of the regulations of the Commission and the Permit Board to be consistent with the Secretary of State’s requirements. Changes to the regulations are not substantive and do not affect content; rather, the changes simply reflect the newly required formatting and numbering and provide recitation of statutory authorities for the regulations. Additionally, Title 11, Part 1, Chapter 1, updates statutory changes by removing powers the Commission no longer holds related to: (1) state mineral land leases and division orders (Miss. Code Ann. § 29-7-3); (2) the transfer of surface mining and reclamation permits (Miss. Code Ann. §§ 53-7-9 and 53-7-19); and (3) determinations regarding the feasibility of establishing community sewerage systems upon the submission by the developer of a preliminary design and feasibility study (Miss. Code Ann. § 41-67-4).

II. Manner by Which the Public May Comment.

The proposed renumbered and reformatted regulations are available for public review on MDEQ’s website at www.deq.state.ms.us. The proposed regulation amendments may also be reviewed in the offices of the Mississippi Department of Environmental Quality at 515 E. Amite Street, Jackson, Mississippi 39201. Please contact Mr. Lorenzo Boddie, Public Records Administrator, at (601) 961-5758 to schedule an appointment.

Members of the public may present verbal or written comments during the public hearing described below. Also, any written statements regarding the proposed regulation amendments will be a part of the public hearing record if delivered to the MDEQ address shown above or e-mailed to Roy_Furrh@deq.state.ms.us by 5:00 p.m., Tuesday, June 4, 2013.

III. Notice of Public Hearing.

The hearing will be held on Tuesday, June 4, 2013, at 2:00 p.m. in the Commission Hearing Room (Room 104A) of the Mississippi Department of Environmental Quality Office Building located at 515 East Amite Street, Jackson, Mississippi 39201.

IV. Additional Information.

For additional information, please contact Mr. Roy Furrh at 601-961-5260.